

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH**

AMERICAN FARM BUREAU
FEDERATION, *et al.*,

Plaintiffs,

v.

U.S. DEPARTMENT OF THE
INTERIOR, *et al.*,

Defendants.

) Case No. 2:24-cv-665-RJS
) Honorable Robert J. Shelby
)
)

[PROPOSED] SCHEDULING ORDER

Upon consideration of the parties Proposed Scheduling Order in an Administrative Case Under District of Utah Local Civil Rule 7-4, the Court hereby ORDERS that the Proposed Scheduling Order is ADOPTED, and the case shall proceed on the following schedule:

1. Indexed Administrative Record: On or before **October 21, 2024**, Defendants shall file the Administrative Record. The Parties agree that the record shall be filed and served on all counsel of record by Defendants on a CD-ROM, thumb drive, or other digital format, and include an index. Defendants will concurrently file a Notice of Filing of the Administrative Record via the Court's CM/ECF system.

2. Objections to the Administrative Record: On or before **November 21, 2024**, Plaintiffs shall notify Defendants whether Plaintiffs believe the Administrative Record is complete or requires supplementation with additional materials. Should a dispute arise regarding the completeness of the Administrative Record, the applicability of any exception to record review, or any asserted need for judicial review of extra-record materials, the Parties will attempt to negotiate a resolution. If the Parties can informally resolve any disputes regarding the Administrative Record, Defendants will lodge an amended or supplemental Administrative

Record (if necessary) with the Court on or before **December 10, 2024**. If the Parties are unable to resolve disputes involving the Administrative Record, the deadline for filing any motion to complete or supplement the record would be **December 5, 2024**. Federal Defendants would file their response to any motion to complete or supplement the Administrative Record by **January 6, 2025**, and any replies would be filed by **January 13, 2025**. If a motion to supplement or complete the Administrative Record is filed, the Parties will confer about whether they should move to stay the summary judgment briefing schedule set forth below. If the Parties agree that the Administrative Record filed on **October 21, 2024**, is complete and that neither the filing of an amended Administrative Record nor motions practice regarding the Administrative Record are necessary, Federal Defendants will notify the Court of such on or before **November 22, 2024**.

3. **Merits Briefs:** Plaintiffs' Opening Brief Motion shall be filed by **December 12, 2024**. Defendants' Answer Brief shall be filed by **January 30, 2025**. Plaintiffs' Reply Brief shall be filed by **March 5, 2025**. Plaintiffs' Opening Brief and Defendants' Answer Brief shall be no more than 45 pages, and Plaintiffs' Reply Brief shall be no more than 20 pages.

Dated: _____

United States District Judge Robert J. Shelby